



Submission on 'Strengthening the test for Australian citizenship'

May 2017



Jesuit
Social Services
Building a Just Society

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Jesuit Social Services: Who we are

Jesuit Social Services works to build a just society by advocating for social change and promoting the health and wellbeing of disadvantaged people, families, and communities.

Jesuit Social Services works where the need is greatest and where it has the capacity, experience and skills to make the most difference. Jesuit Social Services values all persons and seeks to engage with them in a respectful way, that acknowledges their experiences and skills and gives them the opportunity to harness their full potential.

We do this by working directly to address disadvantage and by influencing hearts and minds for social change. We strengthen and build respectful, constructive relationships for:

- **Effective services** – by partnering with people most in need and those who support them to address disadvantage
- **Education** – by providing access to life-long learning and development
- **Capacity building** – by refining and evaluating our practice and sharing and partnering for greater impact
- **Advocacy** – by building awareness of injustice and advocating for social change based on grounded experience and research
- **Leadership development** – by partnering across sectors to build expertise and commitment for justice.

The promotion of **education, lifelong learning and capacity building** is fundamental to all our activity. We believe this is the most effective means of helping people to reach their potential and exercise their full citizenship. This, in turn, strengthens the broader community.

Our service delivery and advocacy focuses on the following key areas:

- **Justice and crime prevention** – people involved with the justice system
- **Mental health and wellbeing** – people with multiple and complex needs and those affected by suicide, trauma and complex bereavement
- **Settlement and community building** – recently arrived immigrants and refugees and disadvantaged communities
- **Education, training and employment** – people with barriers to sustainable employment.

Currently our direct services and volunteer programs are located in Victoria, New South Wales and Northern Territory, and include:

- **Justice Services:** supporting young people and adults in the justice system, and assisting them to make a successful transition from custody back into the community. Within the suite of services are Perry House, Dillon House and Youth Justice Community Support Services.
- **Jesuit Community College:** increasing opportunities for people constrained by social and economic disadvantage to participate in education, work and community life and reach their full potential.
- **Settlement Program:** working with newly arrived migrants and refugees across metropolitan Melbourne, including the African-Australian and Vietnamese communities.

- **Connexions:** delivering intensive support and counselling for young people with co-occurring mental health, substance and alcohol misuse problems.
- **Artful Dodgers Studios:** providing pathways to education, training and employment for young people with multiple and complex needs associated with mental health, substance abuse and homelessness.
- **The Outdoor Experience:** offering an alternative treatment service through a range of outdoor intervention programs for young people aged 15 – 25 years, who have or have had issues with alcohol and/or other drugs.
- **Support After Suicide:** supporting people bereaved by suicide, including children and young people.
- **Capacity building** activities in NSW (Just Reinvest project in Bourke) and the Northern Territory with Aboriginal communities to improve their situation and to have more control over their lives.

Research, advocacy and policy are coordinated across all program and major interest areas of Jesuit Social Services. Our advocacy is grounded in the knowledge, expertise and experiences of program staff and participants, as well as academic research and evidence. We seek to influence policies, practices, legislation and budget investment to positively influence participants' lives and improve approaches to address long term social challenges. We do this by working collaboratively with the community sector to build coalitions and alliances around key issues, and building strong relationships with key decision-makers and the community.

Our Learning and Practice Development Unit builds the capacity of our services through staff development, training and evaluation, as well as articulating and disseminating information on best practice approaches to intervening with participants across our programs.

Our recommendations

- We recommend the Australian Government makes a special concession to the English language requirement for migrants on refugee and humanitarian stream visas, so that it may be satisfied either by:
 - Demonstrated effort, through recorded attendance at English language classes; or
 - Achievement of a more realistic level of English language proficiency, namely 'limited user'.
- We recommend the Australian Government adopts approaches that promote greater flexibility for migrants completing their AMEP tuition, with particular consideration given to migrants that are responsible for young children.
- We call on the Australian Government to explore options to more proactively assist newly-arrived migrants undertake English language classes.
- We recommend the Australian Government not proceed with its proposal to refuse approval to Australian citizenship applications on the basis of repeated attempts to pass the citizenship test.
- We recommend the Australian Government not proceed with its proposal to introduce a two-year bar on new Australian citizenship applications after a previous application is refused.
- We call on the Australian Government to commit to place-based initiatives that address entrenched disadvantage, prevent social exclusion and help migrants build social connections.
- We recommend the Australian Government promotes and facilitates initiatives that foster workplace inclusion for disadvantaged migrants, including paid internship programs and intensive employment coaching.
- We call on the Australian Government to provide pathways for TPV holders to achieve permanent residency, and ultimately Australian citizenship.

Introduction

Jesuit Social Services welcomes the opportunity to put forward our views on the Australian Government's proposal to change the eligibility requirements for Australian citizenship, as well as the associated application processing arrangements.

For 40 years Jesuit Social Services has been engaging effectively with disadvantaged people, including successive waves of new migrant groups, to improve personal resilience and build a strong sense of belonging and social cohesion.

Our programs in this space have included:

- the Settlement Program and Homework Club, which work in western Melbourne with newly arrived communities to build capacity and a sense of belonging
- leadership programs for young people from African countries
- the African Australian Inclusion Program, which supports skilled migrants to gain local work experience and a sense of belonging
- the Refugee Speakers Program
- the Catholic Alliance for People Seeking Asylum, which works to foster greater understanding and compassion towards asylum seekers and migrants within the Australian community.

In 2011, we established Jesuit Community College in order to engage more effectively with highly disadvantaged and disengaged groups within the community, including newly-arrived migrants, and to support them on pathways into education, training and employment. The College provides both pre-accredited and accredited education programs for participants, based on their interests and objectives, to improve their prospects for employment. In particular, the College promotes the social inclusion of newly-arrived migrants through the provision of English language classes.

In the western suburbs of Melbourne, Jesuit Social Services delivers the Settlement Program (under the Australian Government's Settlement Grants Programme) to support newly arrived people build capacity, overcome barriers and foster a sense of belonging. Our staff work with individuals, families and groups in the areas of casework support, referrals and community development. We also administer a regular Homework Club, where volunteers offer education support to primary and secondary school students, who are primarily from families with refugee and humanitarian entrant backgrounds.

Our direct experience with migrant groups informs our advocacy work, in giving voice to their experiences and in seeking to influence and contribute to Government thinking, policy and legislation on matters that impact them.

Jesuit Social Services is concerned that a number of the Australian Government's proposed changes to the general eligibility criteria for Australian citizenship by conferral may have an adverse impact on those from vulnerable backgrounds, such as refugees and humanitarian entrants. We consider that these changes may, counter-productively, undermine our nation's long-held bipartisan commitment to multiculturalism as well as efforts to foster social cohesion.

While the policy intention of these changes may be to encourage the greater integration of newly-arrived migrants into the Australian community, we believe they will have a disproportionately adverse impact on the citizenship prospects of refugees and humanitarian entrants (who already face unique barriers to participation in the Australian community) and will only serve to contribute to the further exclusion and marginalisation of some of the most vulnerable members of our society.

We believe that the proposed changes should be adjusted accordingly to take into account the unique circumstances of these vulnerable groups, particularly in relation to the English language, citizenship test and integration requirements. Any changes should be accompanied by a meaningful commitment to addressing systematic barriers to the full participation of vulnerable migrant groups, such as refugees and humanitarian entrants, in the Australian community.

English language requirement

Jesuit Social Services recognises that English language proficiency is an important building-block for recently-arrived migrants in establishing their new lives and integrating into the wider Australian community. Speaking English is empowering: it enhances migrants' personal agency so that they can engage confidently and independently with government and community services, to enter the workforce and to actively participate in their community. Having sufficient English language proficiency provides a pathway towards education, vocational training and employment. It allows a person to develop supportive community links and to participate meaningfully in the democratic process.

We recognise that the policy intention for introducing English language testing at the 'competent' level may be to provide an incentive for newly-arrived migrants to develop their language skills. However, in our experience, English language proficiency is already valued highly by prospective citizens for the significant social and economic benefits it offers.

We are aware that, despite their interests and efforts, some migrant groups face significant barriers to achieving English language proficiency. In particular, refugees and humanitarian entrants face unique challenges. Given their visa pathways, they are more likely to be drawn from lower socio-economic backgrounds with limited education, and are often trauma-affected. These factors can significantly impact on their ability to achieve adequate English language proficiency, regardless of their investment of effort. We believe that refugees and humanitarian entrants should not be penalised for their challenges in attaining adequate English. Rather, their unique circumstances warrant a special concession in this requirement, so that it may be realistically achievable for them.

We recommend the Australian Government makes a special concession to the English language requirement for migrants on refugee and humanitarian stream visas, so that it may be satisfied either by:

- **Demonstrated effort, through recorded attendance at English language classes; or**
- **Achievement of a more realistic level of English language proficiency, namely 'limited user' (IELTS band score four).**

The Australian Government's increased focus on English language proficiency, in order to support social cohesion, must be matched by commensurate support for migrants to access English language classes. Although the Adult Migrant English Program (AMEP) provides up to 510 hours of English language tuition, Jesuit Social Services' participants have indicated this is less than adequate to obtain a level of English that allows an individual to confidently engage with employers and service providers.

For migrants who are also parents, the capacity to attend AMEP tuition and complete it within five years of commencement can be limited because of the demands of raising young children in a new country. Attending AMEP tuition thus comes with the added responsibility of organising childcare or alternative arrangements for the care of children.

We recommend the Australian Government adopt approaches that promote greater flexibility for migrants completing their AMEP tuition, with particular consideration given to migrants that are responsible for young children

We call on the Australian Government to explore options to more proactively assist newly-arrived migrants undertake English language classes.

Citizenship test

Jesuit Social Services notes the Australian Government's proposals to limit the number of times an applicant may attempt to pass the citizenship test and to introduce a two-year bar on further applications once an application is refused. We consider that these proposals are counter-productive.

Repeated attempts to pass the citizenship test should be viewed as an indication of a person's enthusiasm for belonging to the Australian community, and as demonstrating a hopeful sign of their loyalty and allegiance to Australia. Applicants from refugee and humanitarian visa stream backgrounds have historically had a lower pass rate than other applicants, indicating their relative disadvantage in engaging with this test and the importance of alternate means of testing (such as the current course-based test, which is tailored to the needs of vulnerable applicants).¹

Refusing to approve a citizenship application on the basis of repeated attempts at passing the citizenship test, and then imposing a two-year bar on further applications, can only serve to amplify the exclusion and marginalisation already experienced by this cohort. We support, instead, more flexible efforts to promote and facilitate the inclusion of prospective citizens into the Australian community.

We recommend the Australian Government not proceed with its proposal to refuse approval to Australian citizenship applications on the basis of repeated attempts to pass the citizenship test.

We recommend the Australian Government not proceed with its proposal to introduce a two-year bar on new Australian citizenship applications after a previous application is refused.

Integration requirement

Jesuit Social Services notes that the ‘integration requirement’, proposed for introduction by the Australian Government, largely reflects the current policy guidelines for assessing the ‘good character’ requirement for citizenship eligibility. We recognise that these guidelines provide decision-makers scope for exercising appropriate discretion when considering a person’s character history. We oppose any potential changes to the current practice which might limit such discretion, as a person’s past criminal behaviour should not necessarily stand as a barrier to their integration into the community. We are concerned that the introduction of the ‘integration requirement’ may be accompanied by further character-related provisions that may unjustly exclude some prospective citizens, particularly those targeting young offenders.

Jesuit Social Services calls on the Australian Government to look instead for ways to promote social cohesion and actively foster pathways for inclusion, rather than introducing more bases to exclude people from our society.

From our experience of working with disadvantage communities across Australia, we recognise that individuals who live in communities experiencing high levels of social exclusion are, amongst other adverse outcomes, at greater risk of becoming involved in crime.² Members of migrant groups have reported substantial disengagement from Australian society. Several overlapping factors contribute to this sense of disengagement, including difficulties adapting to the Australian education system, an inability to find employment, a lack of supporting programs, poverty, the traumatic backgrounds of many migrants, and discrimination from the broader community.³ Between 2015 and 2016, there has also been a marked upsurge in reported experiences of discrimination on the basis of skin colour, ethnicity or religion.⁴ Direct experience of overt racism has been found to be a leading cause for the social withdrawal of migrant youth from an African or Arabic-speaking background.⁵

A meaningful promotion of integration into the Australian community should involve working to address the underlying causes of social exclusion through place-based responses, and in fostering employment pathways for disadvantaged migrants.

Jesuit Social Services advocates for place-based approaches that support local communities to develop their own community goals and lift community participation and wellbeing. Place-based initiatives bring the community together. For new migrants, this helps people build social connections and prevents isolation. Bringing the community together also fosters belonging and engagement, giving refugees and migrants a sense of control and purpose in their lives. Building trust, belonging and community engagement are essential elements in fostering social cohesion, helping people feel safe, included and valued in society.

We call on the Australian Government to commit to place-based initiatives that address entrenched disadvantage, prevent social exclusion and help migrants build social connections

Jesuit Social Services notes the significant barriers to employment faced by disadvantaged migrant groups, such as refugees and humanitarian entrants, which can limit their sense of integration into the Australian community. For these groups, employment fosters broader participation in society, provides a sense of purpose, and creates opportunities to become contributing members of the community.

The introduction of an integration requirement should be accompanied by strong commitment, with sufficient resourcing, to increasing the employment prospects of newly-arrived migrants, particularly refugees and humanitarian entrants. This may be achieved by supporting and expanding existing initiatives that cultivate workplace inclusion for disadvantaged migrants, such as tailored internship and employment coaching programs.

For example, based on our experiences engaging with migrant communities seeking employment, Jesuit Social Services formed a partnership with the National Australia Bank in 2009 to establish the African Australian Inclusion Program (AAIP; see caption below).

African Australian Inclusion Program (AAIP)

1. We provide African-Australians with corporate sector experience

- There are systemic barriers to entry to the Australian corporate workplace for qualified African-Australians – including lack of Australian experience, non-recognition of qualifications, lack of business networks and bias (both conscious and unconscious).
- The program provides African-Australians with the opportunity to showcase their capabilities as well as specific development to become effective, independent professionals working in their chosen field.
- The roles include finance, IT, business administration, business analysis, corporate responsibility, project management, marketing and customer contact.
- Through AAIP, participants:
 - undertake a paid internship in their chosen field
 - immerse themselves in Australian workplace culture and build powerful professional networks
 - receive mentoring to achieve assigned tasks and duties
 - work with a coach to achieve broader career goals
 - at a minimum, obtain a professional reference at the end of their placement

2. We offer career coaching to ensure job success beyond the program

- With the help of NAB career coaches, AAIP's impact lasts beyond the program itself.
- Participants work with a coach to help them achieve broader careers goals and search for job opportunities both within and outside NAB once the internship is complete.
- The program has been running since 2009, with 268 participants over that period. NAB has retained nearly 70% of all participants after their internships – in either permanent or contract roles - with another 15+% finding work in their chosen field outside NAB.

3. We collaborate with business for stronger collective impact

- AAIP shows how the social and business sectors can collaborate to achieve a stronger collective impact.
- The program delivers genuine shared value that benefits participants, NAB and the broader community – for example as role models for younger African-Australians.
- AAIP's success has been recognised with several awards, including:
 - Diversity@Work (2010)
 - Melbourne Awards – City of Melbourne (2011)
 - Australian Human Resources Institute Diversity Award (2012)
 - Victorian African Community Award (2013 and 2014).

The AAIP fosters workplace inclusion for disadvantaged and underemployed skilled African migrants by addressing the initial barriers, such as prejudice and discrimination, which can often prevent entry into the Australian workforce. While the AAIP produces a social good, in broadening the employment prospects of disadvantaged migrants, it also provides significant benefits to the private sector in opening up an untapped labour market of talented workers. The program has been successful because it offers the private sector partner the competitive advantage of bringing experienced, skilled, yet underemployed, job seekers to their attention. It also serves to benefit the private sector through workplace diversification, in boosting staff morale and in enhancing corporate reputation.

This innovative approach promotes the integration of disadvantaged migrant groups, which have historically faced discrimination and exclusion, into the Australian community. It demonstrates that disadvantaged migrants can achieve secure employment, thereby enhancing their economic and social participation in their community, once they are given the chance to overcome entry barriers.

Jesuit Social Services believes that more dedicated internship programs should be developed, adapted from the AAIP model, to offer other disadvantaged migrants corporate work experience and an induction into Australian workplace culture and practice. In addition, there is scope for the community sector, with adequate government funding, to develop intensive employment coaching programs, tailored to disadvantaged migrants. Such intensive employment coaching can be valuable in preparing job-seekers for entry into Australian workplace culture and in supporting new workers and their employers in the early stages of employment.

We recommend the Australian Government promotes and facilitates initiatives that foster workplace inclusion for disadvantaged migrants, including paid internship programs and intensive employment coaching.

Jesuit Social Services is concerned that the Australian Government's attempt to 'strengthen the test for Australian citizenship' may inadvertently create a large underclass of non-citizens who are excluded from a shared sense of belonging and unable to take up the rights and responsibilities of Australian citizenship (at least until they meet one of the exemption clauses). The exclusion of such a large section of the community from full civic participation would diminish us as a whole.

There is already a large group of vulnerable migrants, likely to remain indefinitely in Australia, who have no prospect of enjoying Australian citizenship; namely, refugees on Temporary Protection visas (TPV), who are not eligible for a permanent residency pathway. Their continued exclusion from full civic participation can only serve to further marginalise this very vulnerable group and ultimately undermine social cohesion.

We call on the Australian Government to provide pathways for TPV holders to achieve permanent residency, and ultimately Australian citizenship.

¹ National Consultation on Citizenship (2015). 'Final report: Australian Citizenship, Your Right, Your Responsibility', Australian Government, Canberra, <http://www.border.gov.au/Citizenship/Documents/australian-citizenship-report.PDF>, 21.

² Australian Institute of Criminology (2015). 'Crime Prevention Approaches, Theory and Mechanisms', Australian Government, Canberra, http://aic.gov.au/publications/current%20series/rpp/100-120/rpp120/07_approaches.html.

³ Akerman, T (2016). 'Inequality Blamed for African Youth Crime', *The Australian*, 9 November 2016.

⁴ *ibid*

⁵ Mansouri, F & Skrbis, Z (2013). 'Migrant Youth in Australia: Social Networks, Belonging and Active Citizenship (Summary Report)', Deakin University, Melbourne. http://www.deakin.edu.au/_data/assets/pdf_file/0020/91307/Migrant-Youth-in-Australia.pdf